

**CONDEMNATION**

STATE OF MINNESOTA  
COUNTY OF AITKIN  
IN DISTRICT COURT  
NINTH JUDICIAL DISTRICT  
COURT FILE NO. 01-CV-22-8

State of Minnesota, by its Commissioner of Transportation,  
Petitioner,  
vs.  
John R. Chute, et al.  
Respondents.

IN THE MATTER OF THE CONDEMNATION OF  
CERTAIN LANDS FOR TRUNK HIGHWAY PURPOSES  
NOTICE

To the Respondents hereinabove named:

You, and each of you, are hereby notified that on MAY 12, 2022, at 9:30 o'clock AM., or as soon thereafter as counsel can be heard, before Judge David F. Hermerding, from the Courthouse at Aitkin, Aitkin County, Minnesota, the above-named petitioner will present to the Court a petition now on file herein for the condemnation of certain lands for trunk highway purposes. You are notified this matter is set for a remote hearing. This hearing will not be in person at the courthouse. Instructions for attending the remote hearing may be obtained from Aitkin County Court Administration. A copy of said petition is attached hereto and incorporated herein.

YOU, AND EACH OF YOU, ARE FURTHER NOTIFIED, that at the above time and place the above-named petitioner will also move the court for an order transferring title and possession to petitioner of the parcels described in the petition in accordance with Minn. Stat. §117.042, as of June 16, 2022.

YOU, AND EACH OF YOU, ARE FURTHER NOTIFIED, that all persons occupying the property described in the petition must **VACATE THE AREA BEING ACQUIRED AND MOVE ALL OF YOUR PERSONAL PROPERTY FROM THE AREA BEING ACQUIRED ON OR BEFORE JUNE 16, 2022.** All advertising signs or devices located on the property being acquired must be removed by June 16, 2022.

YOU, AND EACH OF YOU, ARE FURTHER NOTIFIED, that (1) a party wishing to challenge the public use or public purpose, necessity, or authority for a taking must appear at the court hearing and state the objection or must appeal within 60 days of a court order; and (2) a court order approving the public use or public purpose, necessity, and authority for the taking is final unless an appeal is brought within 60 days after service of the order on the party.

Dated: January 21, 2022

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State of Minnesota  
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**CONDEMNATION**

STATE OF MINNESOTA  
COUNTY OF AITKIN  
IN DISTRICT COURT  
NINTH JUDICIAL DISTRICT

State of Minnesota, by its Commissioner of Transportation,  
Petitioner,  
vs.

John R. Chute, Debra J. Chute, Security State Bank of Aitkin, Vernon L. Landrus, Wilma J. Landrus, County of Aitkin, William G. Thole, Merchants Bank, National Association, Paul B. Fischer, also known as Paul Fischer, Lamar Outdoor Advertising, Knights of Columbus, Garrison Disposal Company, Anchor Storage, LLC, Bremer Bank, National Association, Rick Loren Liljenquist, also known as Rick L. Liljenquist, Kimberly Liljenquist, Unknown successors in interest Chester G. Rosengren, deceased and Unknown successors in interest Gerald S. Rufer, deceased and Unknown successors in interest Richard C. Hefte, deceased and First Trust Company of St. Paul, as trustees of Roger L. Dell and Agnes C. Dell Charitable Trust , Elizabeth Todd, Jean Hansen, Richard Evans, Dorothy B. Webber, Catherine Webber, also known as Kathleen Webber, State of Minnesota Department of Natural Resources, State of Minnesota for County of Aitkin, Brenda Lou Besch, also known as Brenda L. Besch, also all other persons unknown claiming any right, title, estate, interest or lien in the real estate described in the Petition herein,  
Respondents.

IN THE MATTER OF THE CONDEMNATION OF  
CERTAIN LANDS FOR TRUNK HIGHWAY PURPOSES

PETITION

To the District Court above named the State of Minnesota brings this Petition and respectfully states and alleges:

I.

That Trunk Highway numbered 169, being Route numbered 035, and Trunk Highway numbered 210, being Route numbered 002, have been located according to law and pass over the lands herein described. That it is duly covered by Right of Way Plat Orders numbered 99296, 99298, 99319, 99320, 99323, 99327, 99335, 99340, 99342.

II.

That the Commissioner of Transportation deems it necessary that the State of Minnesota for trunk highway purposes obtain the lands herein described in fee simple absolute, together with the following rights:

To acquire from the owners whose lands front thereon any existing right of access to said highway in those cases which are herein particularly mentioned, and to keep and have the exclusive control of all access to said highway, and to acquire a temporary easement in those cases which are herein particularly mentioned.

With reference to Parcels 216 and 222 , it is the intention of this proceeding to except all severed mineral rights, not including rights to sand and gravel, and reserve to the owners of the severed mineral rights, their heirs, successors and assigns, the rights and privileges to explore for, mine, and remove the minerals, but only in such manner that will not interfere with the use of said land for highway purposes or with the safe and continuous operation of any public highway thereon, and further the severed mineral owners reserve the right to relocate the highway at the mineral owners' expense pursuant to Minnesota Statutes §160.10 as such may be amended.

It is the intention of the above-named petitioner to move the court for an order authorizing the Court Administrator to accept and deposit in an interest bearing account payments from the petitioner to the court pursuant to Minnesota statutes.

Further, it is the intention of the above-named petitioner to move the court for an order transferring title and possession of the parcels herein described, prior to the filing of an award by the court appointed commissioners, pursuant to Minnesota Statutes §117.042.

The petitioner reserves its right to recover costs of clean up and testing and all other damages arising from the presence of pollutants, contaminants, or hazardous materials on the property described herein, from all potential responsible parties, including respondents herein where appropriate, in a separate legal action to the extent permitted by law.

III.

That the following described lands in these proceedings taken are situated in Aitkin County, Minnesota; that the names of all persons appearing of record or known to your petitioner to be the owners of said lands or interested therein, including all whom your petitioner has been able by investigation and inquiry to discover, together with the nature of the ownership of each, as nearly as can be ascertained, are as follows:

FEE ACQUISITION  
Parcel 206B C.S. 0116 (169=35-27)  
S.P. 0119-30RW

All of the following:  
That part of Outlot E, MISSISSIPPI NORTH, and the West Half of the Southwest Quarter of Section 14, the East Half of the Southeast Quarter of Section 15, and the Northwest Quarter of the Northwest Quarter of Section 23, all in Township 48 North, Range 26 West, shown as Parcel 206B on Minnesota Department of Transportation Right of Way Plats Numbered 01-29 to 01-31, inclusive, as the same are on file and of record in the office of the County Recorder in and for Aitkin County, Minnesota;  
containing 10.40 acres, more or less, of which 8.36 acres is encumbered by an existing trunk highway easement and 0.01 acre is encumbered by an existing road easement;  
together with other rights as set forth below, forming and being part of said Parcel 206B:  
Access:  
All right of access as shown on said plats by the access control symbol.  
Temporary Easement:  
A temporary easement for highway purposes as shown on said plats as to said Parcel 206B by the temporary easement symbol, said easement shall cease on December 1, 2027, or on such earlier date upon which the Commissioner of Transportation determines by formal order that it is no longer needed for highway purposes.  
Names of parties interested in the above described land and nature of interest:

John R. Chute Fee  
Debra J. Chute  
Security State Bank of Aitkin Mortgage  
Vernon L. Landrus  
Wilma J. Landrus Judgment  
County of Aitkin Taxes

FEE ACQUISITION  
Parcel 210A C.S. 0116 (169=35-27)  
S.P. 0119-30RW

All of the following:  
That part of Outlot D, MISSISSIPPI NORTH, shown as Parcel 210A on Minnesota Department of Transportation Right of Way Plat Numbered 01-31 as the same is on file and of record in the office of the County Recorder in and for Aitkin County, Minnesota;  
together with other rights as set forth below, forming and being part of said Parcel 210A:  
Temporary Easement:  
A temporary easement for highway purposes as shown on said plat as to said Parcel 210A by the temporary easement symbol, said easement shall cease on December 1, 2027, or on such earlier date upon which the Commissioner of Transportation determines by formal order that it is no longer needed for highway purposes.  
Names of parties interested in the above described land and nature of interest:  
William G. Thole Fee  
Merchants Bank, National Association Mortgage  
County of Aitkin Taxes

FEE ACQUISITION  
Parcel 31 C.S. 0119 (210=2-34)  
S.P. 0119-30RW

All of the following:  
That part of the Southeast Quarter of the Southeast Quarter of Section 24, Township 47 North, Range 27 West, shown as Parcel 31 on Minnesota Department of Transportation Right of Way Plat Numbered 01-12 as the same is on file and of record in the office of the County Recorder in and for Aitkin County, Minnesota;  
containing 0.25 acre, more or less, of which 0.01 acre is encumbered by an existing road easement;  
together with other rights as set forth below, forming and being part of said Parcel 31:  
Access:  
All right of access as shown on said plat by the access control symbol.  
Temporary Easement:  
A temporary easement for highway purposes as shown on said plat as to said Parcel 31 by the temporary easement symbol, said easement shall cease on December 1, 2027, or on such earlier date upon which the Commissioner of Transportation determines by formal order that it is no longer needed for highway purposes; excepting therefrom the existing scale situate thereon.  
Names of parties interested in the above described land and nature of interest:  
Paul B. Fischer, also known as Paul Fischer Fee  
Lamar Outdoor Advertising Lessee  
Knights of Columbus Lessee  
Garrison Disposal Company Lessee  
County of Aitkin Taxes

FEE ACQUISITION  
Parcel 205AX C.S. 0119 (210=2-34)  
S.P. 0119-30RW

All of the following:  
That part of the Southwest Quarter of the Southwest Quarter of Section 20, Township 47 North, Range 26 West, shown as Parcel 205AX on Minnesota Department of Transportation Right of Way Plat Numbered 01-15 as the same is on file and of record in the office of the County Recorder in and for Aitkin County, Minnesota;  
containing 3.91 acres, more or less, of which 3.31 acres is encumbered by an existing trunk highway easement;  
together with other rights as set forth below, forming and being part of said Parcel 205AX:  
Access:  
All right of access as shown on said plat by the access control symbol.  
Temporary Easement:  
A temporary easement for highway purposes as shown on said plat as to said Parcel 205AX by the temporary easement symbol, said easement shall cease on December 1, 2027, or on such earlier date upon which the Commissioner of Transportation determines by formal order that it is no longer needed for highway purposes.  
Names of parties interested in the above described land and nature of interest:  
Anchor Storage, LLC Fee  
Bremer Bank, National Association Mortgage  
County of Aitkin Taxes

FEE ACQUISITION  
Parcel 205XY C.S. 0119 (210=2-34)  
S.P. 0119-30RW

All of the following:  
That part of the Northeast Quarter of the Northeast Quarter of Section 30, Township 47 North, Range 26 West, shown as Parcel 205XY on Minnesota Department of Transportation Right of Way Plat Numbered 01-14 as the same is on file and of record in the office of the County Recorder in and for Aitkin County, Minnesota;  
containing 4.02 acres, more or less, of which 3.00 acres is encumbered by an existing trunk highway easement;  
together with other rights as set forth below, forming and being part of said Parcel 205XY:  
Access:  
All right of access as shown on said plat by the access control symbol.  
Temporary Easement:  
A temporary easement for highway purposes as shown on said plat as to said Parcel 205XY by the temporary easement symbol, said easement shall cease on December 1, 2027, or on such earlier date upon which the Commissioner of Transportation determines by formal order that it is no longer needed for highway purposes.  
Names of parties interested in the above described land and nature of interest:  
Rick Loren Liljenquist, also known as Rick L. Liljenquist Fee  
Kimberly Liljenquist  
County of Aitkin Taxes

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